UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,076	10/18/2000	Corey Young	MCP-207	3762

7590 08/13/2004	**EXAMINER**

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ART UNIT	PAPER NUMBER
2176	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/691,076	YOUNG ET AL.
	Examiner	Art Unit
	James H Blackwell	2176

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 October 2000*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

    4a) Of the above claim(s) *1-3* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *5-10 and 14-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) *5-10 and 14-18* are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *18 October 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

13)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    a)☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: .

DETAILED ACTION

This action is responsive to communications dated 04/28/04 in response to the

Restriction Requirement listing Inventions I-III. Applicants elect without traverse to

prosecute the claims 5-10 and 14-18 of Invention II.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Hackbarth (Helge Hackbarth, "Tiffy View Java Edition", Copyright 1998, downloaded

from http://web.archive.org/web/19991106083855/http://www.tiffy.de/tiffye/Tiffy.html) in

view of Microsoft Press ("Microsoft Press Computer Dictionary, 3rd Edition", Copyright

1997 Microsoft Press).

In regard to independent Claim 5, Hackbarth teaches a platform independent

application (written in Java) to view and print images of the following formats: TIFF,

BMP, GIF, JPG, and PNG (called Tiffy View). Additionally, Hackbarth teaches that it is

usable as a standalone application or, alternatively the program can be run as a Java

applet in any Java capable web browser to extend standard internet/intranet technology

with a powerful component for electronic document management (see page 1). The

figure located at the top of Page 2 of Hackbarth depicts the application in a Preview

mode showing in the left-hand window a plurality of files as well as the file Messen.jpg

being highlighted for viewing in the right-hand window (see top Fig., p. 2; compare with

Claim 5, *"... (a) managing a plurality of data files with a host application, the host*

application supporting applet execution; (b) selecting a data file from a plurality

of data files"). Hackbarth does not specifically teach *(c) analyzing the data file for the*

presence of data of a first type and a second type. However, it would have been

obvious to one of ordinary skill in the art at the time of invention because such an action

typically occurs in reading files having plural types of data. The benefit would have been

to determine the file type and to be able to apply the necessary code steps to read and

load the file. Hackbarth does not specifically teach *(d) processing data of the first type*

through a first applet and data of the second type through the second applet. However,

it would have been obvious to one of ordinary skill in the art at the time of invention to

read and extract the two file types using distinct coding portions, whether those coding

portions are separate programs (applets), or part of a larger single program (applet or

standalone application) because it is well known in the programming art to do so. In

addition, Microsoft Press defines an applet as a small piece of code that can be

transported over the Internet and executed on the recipient's machine. The term is

especially used to refer to such programs as they are embedded in line as objects in

HTML documents on the World Wide Web (see p. 27). The benefit of an applet being

small allows it to download to the client more quickly, taking less storage space, and

likely requiring smaller processing resources. Hackbarth does not specifically teach *(e)*

merging and formatting the processed first and second data within the host application.
However, it would have been obvious to one of ordinary skill in the art at the time of
invention to assume that this would have occurred because it is what one would have
expected as part of the viewer programming as a necessary step to produce a display
of the file contents. Hackbarth does teach displaying the file contents (see Figs. Pp. 1-
3; compare with Claim 5, *"... (f) displaying the merged and formatted processed
first and second data"*).

Claims 6-10, and 14-18 are rejected under 35 U.S.C. 103(a) as being
unpatentable over Hackbarth in view of Microsoft Press and in further view of Adobe
("TIFF, Revision 6.0 Specification", Copyright 06/03/1992, Adobe Developers
Association).

In regard to dependent Claim 6, Hackbarth fails to teach that *the first data type is
a graphics type and a second data type is a text data type.* However, Adobe teaches
the TIFF 6.0 file format standard containing a header portion and a tag portion (both
text), and a portion for the graphics file (specifically a Bilevel image) (see p. 20). It
would have been obvious to one of ordinary skill in the art at the time of invention to
combine the teachings of Hackbarth, Microsoft Press, and Adobe, because they all
describe aspects of manipulating mixed content files with the goal to load and display
such files in an efficient and convenient manner.

In regard to dependent Claim 7, Hackbarth teaches that the applet can read

Tagged Image File Format (TIFF) files that contain as part of their content Tags (see p.

1; compare with Claim 7, *"... the data file comprises a tagged format"*).

In regard to dependent Claim 8, Hackbarth fails to teach that *the first data type*

comprises a compressed format image. However, Adobe teaches TIFF version 6.0

standard for storing images. One feature of the TIFF format is its ability to accept

multiple types of compression schemes for the images (see pp. 30-31). It would have

been obvious to one of ordinary skill in the art at the time of invention to combine the

teachings of Hackbarth, Microsoft Press, and Adobe, because they all describe aspects

of manipulating mixed content files with the goal to load and display such files in an

efficient and convenient manner.

In regard to dependent Claim 9, Hackbarth fails to teach that *the data file*

comprises: a header portion containing an index portion. However, Adobe teaches a

header portion containing an offset location (index) for the first IFD, a tag portion

containing an offset location (index) for the next IFD. Both of these positions containing

the offset location are at the end of the header and tagged portions respectively (see

table p. 20). Hackbarth also fails to teach that *a first data type located near a terminus*

of the data file at a starting location referenced by the index portion. However, Adobe

teaches an Image Data portion with a starting location near the end of the file, with the

end of the Image Data portion at the end of the TIFF file. The index identifying the

location of the Image Data portion lies at the end of the regular tagged portion (see

table p. 20). Hackbarth also fails to teach *a second data type located between the*

header and the first data type, having an end of file marker at its terminus. However, Adobe teaches that the tagged portion (containing text) is located between the header portion and the Image Data portion (see table p. 20). Adobe does not teach that an end of file marker exists at the end of the second data type. However, it would have been obvious to one of ordinary skill in the art at the time of invention to place and end of file marker at the end of any of the portions contained in the TIFF file format because it was common practice to do so, especially when similar files with mixed text and binary contents were written to 9-track tape or other linear fashion. The benefit would have been to identify different portions of the file, as well as to identify the end of a file.

In regard to dependent Claim 10, Hackbarth teaches that Tiffy View can be used as an applet from an HTML web page. On the client side only a Java capable web browser like Netscape Navigator (version 3 or higher), Microsoft Internet Explorer (version 3.02 or higher) (see p. 4, 2nd paragraph; compare with Claim 10, *"... the host application comprises a hypertext browser"*).

In regard to independent Claim 14, Hackbarth teaches that Tiffy View can be used as an applet within a web page on a web browser where files can be read and data extracted (see p. 5). Hackbarth does not specifically teach using separate applets to read and extract both a graphics type and a text data type in the same file. However, it would have been obvious to one of ordinary skill in the art at the time of invention to read and extract the two file types using distinct coding portions, whether those coding portions are separate programs (applets), or part of a larger single program (applet or standalone application) because it is well known in the programming art to do so.

Microsoft Press defines an applet as a small piece of code that can be transported over the Internet and executed on the recipient's machine. The term is especially used to refer to such programs as they are embedded in line as objects in HTML documents on the World Wide Web (see p. 27). The benefit of an applet being small allows it to download to the client more quickly, taking less storage space, and likely requiring smaller processing resources. Hackbarth fails to teach that *the data file includes an index portion in a header pointing to the first data type, and the second data type resides between the header and the first data type, having an end of file marker at a terminus thereof*. However, Adobe teaches a header portion containing an offset location (index) for the first IFD, a tag portion containing an offset location (index) for the next IFD. Both of these positions containing the offset location are at the end of the header and tagged portions respectively. Adobe also teaches an Image Data portion with a starting location near the end of the file, with the end of the Image Data portion at the end of the TIFF file. The index identifying the location of the Image Data portion lies at the end of the regular tagged portion. Adobe also teaches that the tagged portion (containing text) is located between the header portion and the Image Data portion (see table p. 20). Adobe does not teach that an end of file marker exists at the end of the second data type. However, it would have been obvious to one of ordinary skill in the art at the time of invention to place and end of file marker at the end of any of the portions contained in the TIFF file format because it was common practice to do so, especially when similar files with mixed text and binary contents were written to 9 track

tape or other linear fashion. The benefit would have been to identify different portions of the file, as well as to identify the end of a file.

In regard to dependent Claim 15, Claim 15 reflects the method of processing a data file having two different data types as claimed in Claim 14, and is rejected along the same rationale.

In regard to dependent Claim 16, Hackbarth teaches a platform independent application (written in Java) to view and print images of the following formats: TIFF, BMP, GIF, JPG, and PNG (called Tiffy View). Additionally, Hackbarth teaches that it is usable as a standalone application or, alternatively the program can be run as a Java applet in any Java capable web browser to extend standard internet/intranet technology with a powerful component for electronic document management (see page 1). Hackbarth does not specifically teach *invoking the first and second applets for interpreting the composite data*. However, it would have been obvious to one of ordinary skill in the art at the time of invention to assume that the applet was invoked by downloading the file from the browser, as this is its function as a viewer for various file types including TIFF. Reading the file using two separate applets, or one applet with two classes would not matter. The benefit would have been that an applet was performing the reading and viewing of the file assuming the graphics viewer was browser-based.

In regard to dependent Claim 17, Hackbarth fails to teach that *the first data type is a graphics type and a second data type is a text data type*. However, Adobe teaches the TIFF 6.0 file format standard which depicts a header portion, a tag portion, and a

portion for the graphics file (see table p. 20). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Hackbarth, Microsoft Press, and Adobe, because all are related to TIFF format files. The benefit would have been to provide an accepted format scheme for describing mixed format files.

In regard to dependent Claim 18, Hackbarth fails to specifically teach that *the header and first data type are compatible with the Group 4 Tagged Image Format File specifications*. However, Adobe teaches the format of a TIFF version. 6.0 file (specifically a bilevel graphics file) (see table p. 20). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Hackbarth, Microsoft Press, and Adobe, because all are related to TIFF format files. The benefit would have been to provide an accepted format scheme for describing mixed format files.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H Blackwell whose telephone number is 703-305-0940. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 703-305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James H. Blackwell
08/06/04

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER